

The report of the Joint Select committee upon the Court of Claims, recommending the approval of certain certificates, was read

And on motion of Mr. Guinn, laid on the table.

The report of the committee on the Judiciary recommending the rejection of a bill to regulate the argument in criminal cases, was read and adopted.

A bill donating 320 acres of land to the county of Palo Pinto, was read and ordered to be engrossed.

On motion of Mr. Walker, the rule was suspended, bill read a third time and passed.

“ A bill concerning bills of exchange, was read and ordered to be engrossed.

On motion of Mr. Stockdale, the rule was suspended, bill read a third time and passed.

A bill to incorporate the Alamo Rifles, was read and ordered to be engrossed.

On motion of Mr. Paschal, the rule was suspended, bill read a third time and passed by the following vote :

YEAS—Messrs. Britton, Burroughs, Caldwell, Erath, Fall, Graham, Grimes, Guinn, Herbert, Hyde, Lott, McCulloch, Maverick, Paschal, Pirkey, Potter, Quinan, Russell, Scarborough, Stockdale, Taylor, of Cass, Taylor, of Houston, Throckmorton, Truitt, Walker, Wigfall and Wren—27.

NAYS—None.

On motion of Mr. Erath, the Senate adjourned until Monday morning at 10 o'clock.

MONDAY, Dec. 7th, 1857.

The Senate met pursuant to adjournment—prayer by the Chaplain—roll called—quorum present.

The journal of Saturday was read and adopted.

Mr. Graham presented the memorial of Ann Walling; referred to the committee on Private Land Claims.

A message was received from the House informing the Senate that the House had receded from its amendments to the Senate's bill to create the county of Bee, &c., in which the

Senate refused to concur, and that the House had refused to concur in the amendment of the Senate to a House bill for the payment of a volunteer company called into service by the Governor.

And that the House had passed a Senate's bill to adjust the boundaries of the counties of Goliad, San Patricio and Nueces.

And the following bills originating in the House:

A bill quieting the title to real estate in the city of Austin.

A bill to amend an act to authorize the Commissioner of the General Land Office to cancel patents in certain cases.

A bill to authorize the Commissioner of the General Land Office to cancel patent No. 815, vol. 8, &c.

A bill authorizing the Clerk of the County Court of Grayson county to transcribe into a bound book, to be procured by him, all records hereinafter mentioned.

A bill to admit Wm. H. Burkhart to practice law in the Courts of this State.

A bill to authorize the Clerk of the County Court of Fayette county to transcribe certain records therein named.

A bill to authorize the Clerk of the County Court of Johnson county to transcribe certain records therein named.

A bill to authorize the Clerk of the District Court of Fayette county to transcribe certain records therein named.

A bill to incorporate the town of Bonham.

A bill for the relief of Jacob Becker, deceased.

A bill to change the name of Taylorsville.

A bill making a contingent appropriation for the support of the State Penitentiary.

A bill to amend an act to incorporate the town of Greenville.

A bill to repeal an act supplemental to an act for the relief of the citizens of Mercer's colony, passed Feb. 2d, 1850.

A bill to authorize the County Courts of the several counties of this State to increase the pay of grand and petit jurors.

A bill for the relief of Wm. Lee. And

A bill to change the name of Leander Milton Nealy to Leander Milton Stone.

And also, that the House had adopted the following resolution:

Resolved, (the Senate concurring,) That a committee of three on the part of the House, and two on the part of the Senate, be appointed to make arrangements for the inauguration of the Governor and Lieutenant-Governor elect, on the

21st of December inst., and that they be instructed to report on or before the 15th inst.

Mr. Taylor of Houston, chairman of the committee on Enrolled Bills, reported "A Bill to incorporate the Casino Association of San Antonio," correctly enrolled, properly signed, and this day presented to the Governor.

Mr. Russell, chairman of the committee on Engrossed Bills, reported

A bill concerning bills of exchange ;

A bill for the relief of Jacob Long ;

A bill for the relief of George R. Rains ;

A bill donating 320 acres of land to Palo Pinto county ;

A bill to incorporate the Alamo Rifles, and

A bill to incorporate the Texas Baptist Publication Society, correctly engrossed.

Mr. Pirkey, one of the committee on Internal Improvements, made the following report:

The committee on Internal Improvements have considered the memorial of the Memphis, El Paso and Pacific Railroad Company, and see no good reason why the prayer of the memorialists should not be granted ; a majority of said committee instruct me to report the accompanying bill and recommend its passage.

A bill to amend an act to incorporate the Memphis, El Paso and Pacific R. R. Company, approved Feb. 4th, 1855, and an act supplemental thereto ; read first time.

Mr. Pirkey, chairman of the committee on Public Lands, made the following reports:

The committee on Public Lands to which was referred the petition of Jackson Smith and Isaac Foster, praying for relief, have examined the same, with accompanying proof, and find the facts to be as follows: Jackson Smith emigrated to Texas in 1835, a single man. He married in February, 1838, in time to entitle him to the benefit of the law granting an augmentation of two-thirds of a league and a labor of land to those who married prior to December 14, 1838. He remained in the country permanently until the year 1842, performing the part of a good citizen, since which time he has held several federal appointments, and has been alternately in Texas and the older States. Your committee are led to believe that up to the present time he has claimed Texas as his home, and still does, and that he remained in Texas permanently until all fighting and danger was over, and could have obtained his

headright and augmentation at any time under the law of December 14th, 1837, before he first left Texas, and has never received it. He is therefore entitled to relief. The committee also find from the evidence before them that Isaac Foster performed the service for which he asks pay, and think him entitled to relief, but as the certificate of the Commissioner of the General Land Office was not very clear as to a certain forged certificate in this name which was once returned to that office and withdrawn, your committee have thought proper to condition the bill for his relief by attaching thereto a clause providing that he has never received any land for said service.

A bill for the relief of Jackson Smith and Isaac Foster; read first time.

The committee on Public Lands have considered the petition of the Galveston Dry Dock Company, praying the relinquishment to said company of the right of the State to twenty-five acres of land on Pelican flats in Galveston Bay, and a majority of the committee believing that the prayer should be granted, have instructed me to report the accompanying bill and recommend its passage.

A bill relinquishing to the Galveston Dry Dock Company the right of the State to 25 acres of land on Pelican flats, in Galveston Bay; read first time.

Mr. Potter, chairman of the Judiciary committee, to which was referred a bill to repeal and amend certain parts of an act to incorporate the town of Rusk, in Cherokee county, reported a bill to consolidate into one and amend the several acts incorporating the town of Rusk, in Cherokee county, as a substitute, and recommended its adoption and passage.

On motion of Mr. Guinn the rule was suspended, substitute adopted, and bill ordered to be engrossed.

Rule further suspended, bill read third time and passed.

Mr. Maverick presented the petition of J. C. Perez, (by leave,) referred to the committee on Claims and Accounts.

Mr. Lott introduced a bill for the relief of D. P. Fowler; read first and second times, and referred to the committee on State Affairs.

Mr. Pirkey introduced a bill to amend an act to incorporate the Clarksville and Mount Pleasant Turnpike Company; read first and second times, and referred to the committee on Roads, Bridges and Ferries.

Mr. Paschal introduced a bill in relation to water courses

and **privileges**; read first and second times and referred to the **committee on the Judiciary**.

Mr. Potter introduced a bill to withdraw the reservation of the State on salt licks and salt springs on certain conditions; read first and second times, and referred to the committee on **Finance**.

On motion of **Mr. Caldwell**, a House bill quieting the title to real estate in the city of Austin was read first and second times and referred to the committee on the Judiciary.

ORDERS OF THE DAY.

A bill to set apart and appropriate a fund for the establishment and endowment of a State University, special order for to-day, was taken up and read.

Mr. Lott moved to amend by striking out "one university" and inserting "two universities."

On motion of **Mr. Potter**, laid on the table by the following vote:

YEAS—Messrs. Britton, Burroughs, Caldwell, Erath, Grimes, Herbert, Hyde, McCulloch, Paschal, Potter, Quinan, Shepard, Stockdale, Taylor of Fannin, and Throckmorton—15.

NAYS—Messrs. Fall, Graham, Guinn, Lott, Maverick, Pirkey, Russell, Taylor of Cass, Taylor of Houston, Walker, and Wren—11.

Mr. Taylor of Cass offered a bill setting apart fifty leagues of land for the endowment of two universities, as a substitute for the bill reported by the committee.

Mr. Throckmorton moved a call of the Senate—carried; absent, Messrs. Wigfall and Martin.

On motion of **Mr. Taylor of Cass**, **Mr. Martin** was excused on account of sickness.

A bill to locate permanently the seat of justice of Tarrant county, was read a third time and passed by the following vote:

YEAS—Messrs. Burroughs, Erath, Fall, Graham, Guinn, Hyde, Lott, Maverick, Paschal, Pirkey, Potter, Russell, Scarborough, Taylor of Cass, Taylor of Fannin, Walker, and Wren—17.

NAYS—Messrs. Britton, Caldwell, Grimes, Herbert, McCulloch, Pedigo, Quinan, Shepard, Stockdale, Taylor of Houston, Throckmorton, and Truitt—12.

On motion of **Mr. Taylor of Fannin**, the vote just taken was reconsidered by the following vote:

YEAS—Messrs. Britton, Caldwell, Grimes, Herbert, McCulloch, Paschal, Pedigo, Potter, Quinan, Shepard, Stockdale, Taylor of Fannin, Taylor of Houston, Throckmorton, and Truitt—15.

NAYS—Messrs. Burroughs, Erath, Fall, Graham, Guinn, Hyde, Lott, Maverick, Pirkey, Russell, Scarborough, Taylor of Cass, Walker, and Wren—14.

On motion of Mr. Taylor of Fannin, the bill was made the special order for Thursday next, the 10th inst., at 10 o'clock A. M.

A bill concerning bills of exchange, read third time and passed.

On motion of Mr. Taylor of Cass, the call of the Senate was suspended.

On motion of Mr. Stockdale, the bill to establish a State University, and the substitute offered therefor by Mr. Taylor of Cass, was re-referred to the committee on State Affairs, with instructions to enquire into the state of the Treasury, and ascertain what funds are in the hands of the State which may be appropriated for the purpose of endowing one State University, and if they find a sufficient amount, they report a bill for the establishment of such university, if the committee deem it expedient.

A bill for the relief of Jacob Long was read a third time and passed.

The resolution adopted by the House, proposing to send a joint committee to visit the Penitentiary in person and report, was read, and

On motion of Mr. Guinn, laid on the table.

A bill to incorporate the town of Indianola, with the report of the committee on the Judiciary, offering an amendment thereto, was read, amendment adopted, and bill ordered to be engrossed.

On motion of Mr. Potter, the rule was suspended, bill read a third time and passed.

A bill to provide a mode of securing a fair and impartial prosecution and trial in criminal cases under certain circumstances, was read, and

On motion of Mr. Wigfall, referred to the committee on the Judiciary.

The report of the committee on Public Debt, on a bill making an appropriation for the payment of a portion of the

public debt of the late Republic of Texas, recommending its indefinite postponement, was read, and

On motion of Mr. Taylor of Fannin, made the special order for Monday next, the 14th inst., at 10 o'clock A. M.

A bill to create every county into a separate land district, with the report of the committee on the Land Office, offering an amendment thereto, was read, amendment adopted, and

On motion of Mr. Erath, referred to the committee on Public Lands.

Mr. Throckmorton offered the following resolution:

Resolved, That the committee on Printing be required to examine into the fact as to whether the city papers are publishing the proceedings of the Legislature as required by the resolution authorizing the taking of said papers for the use of the Senate, and if not, discontinue the same.

Mr. Britten offered the following as a substitute:

Resolved, That the committee on Printing be directed to enquire into the cause why the newspapers have not complied with their contract in printing properly the proceedings of the Senate, and report as early as practicable.

On motion of Mr. Throckmorton, the substitute was laid on the table.

On motion of Mr. Potter, the resolution was amended by striking out at the conclusion the words "and discontinue the same," and by inserting "and report to the Senate."

The resolution was then adopted.

On motion of Mr. Paschal, the rule was suspended, and a House bill for the payment of a company of volunteers, called into the service by the Governor, which passed the Senate with an amendment, in which the House refused to concur, was taken up and read.

On motion of Mr. McCulloch, the Senate refused to recede from its amendment.

Mr. McCulloch moved that a committee of conference be appointed on the part of the Senate, and that a like committee be requested on the part of the House—carried.

Messrs. McCulloch, Burroughs and Paschal were appointed the committee.

The resolution, adopted by the House, appointing Messrs. Brown and others a committee on the part of that body, and requesting the appointment of a committee of two on the part of the Senate, to make arrangements for the inauguration of the Governor and Lieutenant-Governor elect, was read and

concurred in by the Senate, and Messrs. Pirkey and Martin were appointed the committee on the part of the Senate.

A bill to incorporate the Texas Life, Fire and Marine Insurance Company of the city of Galveston, was read and ordered to be engrossed.

On motion of Mr. Taylor of Houston, the rule was suspended, bill read a third time, and passed by the following vote:

YEAS—Messrs. Britton, Caldwell, Fall, Graham, Guinn, Herbert, Hyde, Lott, McCulloch, Maverick, Paschal, Pirkey, Potter, Quinan, Russell, Stockdale, Taylor of Cass, Taylor of Houston, Throckmorton, Truitt, and Walker—21.

NAY—Mr. Burroughs—1.

A bill for the relief of Harvey Trotter, read and ordered to be engrossed.

A House bill to authorize the Commissioner of the General Land Office to issue a duplicate certificate to Levi Korn, upon certain conditions, was read a second time, and passed to a third reading.

The report of the committee on the Judiciary, recommending that a bill to incorporate the Quitman Male and Female School, be laid on the table, was read and adopted.

A bill to increase the special school fund was read and ordered to be engrossed.

A bill authorizing the Governor to order out mounted men on the South-Western frontier, was read a third time and passed.

A House bill making an appropriation for the per diem pay and mileage of the members, and the per diem pay of the officers of the Seventh Legislature, was read first and second times, and referred to the committee on Finance.

A House bill to create the 19th Judicial District, and to define the time of holding Courts therein, was read first and second times, and referred to the committee on the Judiciary.

A House bill to amend the 2d section of an act to amend the 2d section of an act to amend the 2d and 7th sections of an act to organize the Supreme Court of the State of Texas, approved November 30th, 1850, and approved February 13th, 1854, was read first time.

On motion of Mr. Potter, the rule was suspended, bill read second time, and passed to a third reading.

Rule further suspended, bill read a third time, and passed.

Mr. Paschal (by leave) introduced a bill to allow deputy

Surveyors, in certain cases, to sign official acts and papers; read first and second times, and referred to the committee on the Judiciary.

On motion of Mr. Taylor of Fannin, the Senate adjourned until to-morrow morning at 10 o'clock.

TUESDAY, December 8, 1857.

The Senate met pursuant to adjournment—prayer by the Chaplain—roll called—quorum present.

The Journal of yesterday was read and adopted.

A message was received from the House, informing the Senate that the House had appointed Messrs. Crawford, Hart, and Hicks, a committee of conference on the part of that body, upon the amendment of the Senate to a House bill to provide for the payment of a company of mounted volunteers, called into service by the Governor.

And also, that the House had passed the following bills, originating in that body :

A bill to provide for a special election of a Senator in the twenty-first District, to fill the vacancy caused by the resignation of the Hon. E. M. Millican.

A bill for the relief of Zippore Whiteside, and the heirs of Henry Whiteside.

A bill for the relief of Louisa Warren.

A bill to incorporate the town of Weatherford.

A bill to incorporate the Richmond Masonic Hall Association, of Fort Bend county.

A bill to organize the county of Presidio.

A bill to regulate the pay of Grand and Petit juries in the county of Smith.

Mr. Taylor, of Cass, presented the petition of J. S. Nash. Referred to the committee on State Affairs.

Mr. Potter, Chairman of the Judiciary committee, made the following reports :

The Judiciary committee have considered a bill for quieting the title to real estate in the city of Austin, and a majority of the committee direct me to return the same to the Senate and recommend its passage.

As a member of the committee, I beg leave to say that it is not apparent to me that any beneficial result will be realized